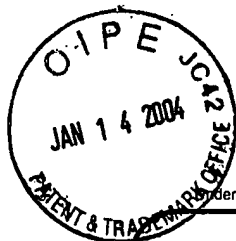


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RCE  
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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/276,868
Filing Date	March 26, 1999
First Named Inventor	Michael Simons
Group Art Unit	1653
Examiner Name	Chih-Min Kam
Attorney Docket Number	BIS-043/CE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. \_\_\_\_\_
- i. ☐ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 385.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David Prashker	Registration No. (Attorney/Agent)	29,693
Signature	<i>David Prashker</i>	Date	Jan. 14, 2004

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)		Date	
Signature		Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

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David Prashker

(Typed or printed name of person mailing paper or fee)

David Prashker

(Signature of person mailing paper or fee)

JAN 20 2004

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicants : Michael Simons & Youhe Gao  
Serial No. : 09/276,868  
Filed : March 26, 1999  
For : "METHOD FOR PR-39 PEPTIDE REGULATED  
STIMULATION OF ANGIOGENESIS"  
Group Art Unit : 1653  
Attorney's Docket No. : BIS-043/CE

.....

TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Mail Stop: RCE  
Alexandria, Virginia 22313-1450

Dear Sir:

Applicants, by and through their undersigned attorney, submit by Express Mail Post Office To Addressee service the following documents in reply to the (final) Official Action mailed July 21<sup>st</sup>, 2003 (as extended through January 21<sup>st</sup>, 2004) for the above-identified application:

1. A Request For Continued Examination with requisite fee payment;  
and
2. A substantive Response including presently amended claims  
submitted in reply to the (final) Official Action mailed July 21<sup>st</sup>,  
2003.

Respectfully submitted,

MICHAEL SIMONS  
YOUHE GAO

Date: Jan. 14, 2004  
P.O. Box 5387  
Magnolia, MA 01930  
Tel.: (978) 525-3794

By: David Prashker  
David Prashker  
Reg. No. 29,693  
Attorney for applicants